

09/831846

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shin-ichi Funahashi et al.  
Serial No. : 09/831,846  
Filed : May 15, 2001  
Title : NOVEL GENE ENCODING BRAIN-SPECIFIC MEMBRANE PROTEIN

**BOX PCT**

Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Responsive to the Notification of Missing Requirements under 35 U.S.C. 371  
mailed June 21, 2001 (a copy of which is enclosed), Applicants as a small entity submit herewith  
the following:

- ☒ Payment of the surcharge of \$65 for late filing of the basic filing fee and/or declaration;
- ☒ A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.497(a) and (b);
- ☒ Response to Response to Notification to Comply With Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequences (2 pages);
- ☒ Verified Statement Under 37 CFR § 1.821(f); and
- ☒ Sequence Listing – paper copy (8 pages) and computer-readable copy (1 diskette).

It is understood that this perfects the application and no additional papers or filing fees are required.

08/27/2001 UEDUVIJE 00000021 09831846

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## CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL259011335US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

August 21, 2001

Date of Deposit

Signature

Samantha Bell

Typed or Printed Name of Person Signing Certificate

Applicant : Shin-ichi Funahashi et al:  
Serial No. : 09/831,846  
Filed : May 15, 2001  
Page : 2

Attorney's Docket No.: 06501-081001 / C2-010PCT-  
US

Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: August 21, 2001

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for Janis K. Fraser, Ph.D., J.D.  
Reg. No. 34,819

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## UNITED STATES PATENT AND TRADEMARK OFFICE

09/831846

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.

09/831,846

FIRST NAMED APPLICANT

MIYATA

ATTY. DOCKET NO.

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INTERNATIONAL APPLICATION NO.

PCT/JP99/06449

I.A. FILING DATE

11/18/99

PRIORITY DATE

11/20/98

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RECEIVED

JUN 27 2001

FISH & RICHARDSON, PC  
BOSTON OFFICE

DATE MAILED:

06/21/01

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant of the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- ☒ U.S. Basic National Fee. ☐ Indication of Small Entity Status.  
☒ Copy of the international application. ☒ Translation of the international application into English.  
☐ Oath or Declaration of inventors(s). ☐ Translation of Article 19 amendments into English.  
☐ Copy of Article 19 amendments. ☐ Other:  
☒ Priority Document.  
☒ The International Preliminary Examination Report in English and its Annexes, if any.  
☐ Translation of Annexes to the International Preliminary Examination Report into English.

2. ☒ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.  
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

- Enclosed: ☐ PCT/DO/EO/917  
☐ PTO-875

- ☐ Notice of Defective Translation  
☒ PCT/DO/EO/920

FORM PCT/DO/EO/905 (March 2001)

Telephone:

(703) 305-3005

183

Processed by Practice Systems  
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Serial No. : 09/831,846      Examiner : Unknown  
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**BOX PCT**

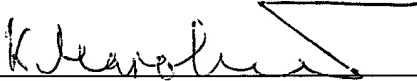
Commissioner for Patents  
Washington, D.C. 20231

VERIFIED STATEMENT UNDER 37 CFR §1.821(f)

I, Katica Magovcevic, declare that I personally prepared the paper and the computer-readable copy of the Sequence Listing filed herewith for the above-identified application and that the content of both is the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 8/21/01

  
Katica Magovcevic

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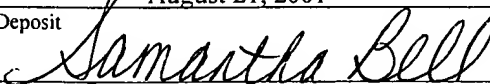
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Samantha Bell  
Typed or Printed Name of Person Signing Certificate